UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,319	04/28/2006	Mathias Franz	2003P16444	4951

24131   7590   05/03/2011
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ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
05/03/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 April 2006_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _13-37_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _13-37_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☒ Other: _foreign reference_.

DETAILED ACTION

Claim Objections

1.   Claim 13 objected to because of the following informalities: Line 6 recites "user data

user data" which has grammatical errors. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-37 rejected under 35 U.S.C. 102(b) as being anticipated by Bauer et al.,

EP 1096770 A2.

        Regarding claim 13, Bauer teaches a method for reducing a cost of processing user data

transmitted in the direction of a communication device, wherein a bidirectional connection

between the communication device and a communication partner entity is established for a

service, and wherein the service does not require the user data transmission to the

communication device, the method comprising:

transmitting user data user data from the communication partner to the communication

device (col.2 para 0006-0007);

discarding at least part of the user data(col.5 para 0020 and 0025); and transmitting information

from the communication device to the communication partner entity indicating a trouble-free

transmission of the user data from the communication partner entity to the communication

device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 14, Bauer teaches method according to claim 13, wherein the communication device is an information output system or a distribution system(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 15, Bauer teaches method according to claim 13, wherein the communication partner entity is a terminal or a gateway(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 16, Bauer teaches method according to claim 13, wherein the user data is transmitted as a user data packet over a packet-oriented network in the direction of the communication device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 17, Bauer teaches method according to claim 16, wherein the information relates to a transmission quality of the user data transmitted from the communication partner entity to the communication device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 18, Bauer teaches method according to claim 16, wherein a router upstream from the communication device discards the at least part of the user data(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 19, Bauer teaches method according to claim 16, wherein the user data packet is transmitted in accordance to a real time protocol (RTP(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 20, Bauer teaches method according to claim 16, wherein at least a part of a plurality of user data packets arriving at the communication device from the communication partner are filtered, and wherein the filtered data packets are discarded(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 21, Bauer teaches method according to claim 20, wherein the filtering is based on a port address(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 22, Bauer teaches method according to claim 16, wherein the information relates to a transmission quality of the user data transmitted from the communication partner entity to the communication device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 23, Bauer teaches method according to claim 22, wherein the information is transmitted in accordance to a real time control protocol (RTCP) (col.6 para 0025).

Regarding claim 24, Bauer teaches a communication system having a connection between a communication partner entity and a communication device, comprising:
a filter for identifying user data transmitted from the communication partner entity to the communication device, and a simulation information transmitted to the partner entity to simulate a trouble-free transmission of the user data from the communication partner entity(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 25, Bauer teaches a communication system according to claim 24, wherein the user data is transmitted as a user data packet over a packet-oriented network in the direction of the communication device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 26, Bauer teaches a communication system according to claim 25, wherein the simulation information relates to a transmission quality of the user data transmitted from the communication partner entity to the communication device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 27, Bauer teaches a communication system according to claim 25,

wherein the information is transmitted in accordance to a real time control protocol (RTCP)

(col.6 para 0025).

Regarding claim 28, Bauer teaches a communication system according to claim 24,

wherein a router upstream from the communication device discards the at least part of the user

data(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 29, Bauer teaches a communication system according to claim

24,wherein the user data packet is transmitted in accordance a real time protocol (RTP) (col.6

para 0025).

Regarding claim 30, Bauer teaches a communication system according to claim 24,

wherein a plurality of data packets arriving at the communication device are filtered, and

wherein the filtered data packets are discarded(col.3-4 para 0012-0015 and col.5-6 para 0020-

0025).

Regarding claim 31, Bauer teaches a communication system according to claim 30,

wherein the filtering is based on a port address(col.3-4 para 0012-0015 and col.5-6 para 0020-

0025).

Regarding claim 32, Bauer teaches a router in a connection path for a connection between

a communication partner entity and a communication device, comprising:

a filter for discarding at least part of user data transmitted from the communication partner entity

to the communication device, and(col.5-6 para 0020-0025);

a simulation information transmitted to the partner entity to simulate a trouble-free transmission

of the user data from the communication partner entity(col.3-4 para 0012-0015 and col.5-6 para

0020-0025).

Regarding claim 33, Bauer teaches a router according to claim 32, wherein user data is transmitted as user data packets over a packet-oriented network in the direction of the communication device, and wherein the user data packets are transmitted in accordance to a real time protocol (RTP) (col.6 para 0025).

Regarding claim 34, Bauer teaches a router according to claim 32, wherein user data is transmitted as user data packets over a packet-oriented network in the direction of the communication device(col.2 para 0006-0007),

wherein the user data packets arriving at the communication device are filtered, and wherein filtered user data packets are discarded(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 35, Bauer teaches a router according to claim 34, wherein the filtering is based on a port address(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 36, Bauer teaches a router according to claim 32, wherein user data is transmitted as user data packets over a packet-oriented network in the direction of the communication device(col.2 para 0006-0007), and

wherein the information relates to a transmission quality of the user data transmitted from the communication partner entity to the communication device(col.3-4 para 0012-0015 and col.5-6 para 0020-0025).

Regarding claim 37, Bauer teaches a router according to claim 36, wherein the information is transmitted in accordance to a real time control protocol (RTCP) (col.6 para 0025).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH T. PHAN whose telephone number is (571)272-7544. The examiner can normally be reached on Mon-Fri 9am-6:30pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/
Primary Examiner, Art Unit 2614